



AUTO THEFT

FC No.: 618

Date: 01-20-01

Contents:

- I. Central Auto Theft **Section (CATS)**
- II. Initial Investigative Procedures
- III. Towing Procedures**
- IV. Arrest Procedures
- V. Lojack Tracking System
- VI. Proponent Unit
- VII. Cancellation

I. Central Auto Theft **Section (CATS)**

- A. The Central Auto Theft **Section (CATS)** has investigative responsibility for all 0711, 0712, 0713, 2947 (relating to recovered vehicles), 2736, and 0619 (involving construction, farm and heavy equipment). (CALEA 42.1.4)
 - B. **CATS** has an evidence technician who processes robbery and carjacking vehicles and vehicles that are stolen and recovered which are part of a pattern. The technician also processes stolen vehicles in other local jurisdictions. If an officer recovers a vehicle that the officer believes has been stolen as part of a pattern, the officer should call **CATS** for further instructions. **Officers leaving a voice mail should provide the location, description of the vehicle and CR# of the case.** The evidence technician may then be approved to process a vehicle stolen within the county. (CALEA 83.1.1)
 - C. **CATS** is also responsible for making education and prevention presentations to county school children as well as presenting auto-theft programs to the community. Crime prevention information is available on the department's website at www.co.mo.md.us/services/police/auto-theft. For further information about this unit, call (301) **840-6160**.
- ### II. Initial Investigative Procedures
- A. TRU Circumstances
The report of a stolen vehicle may be referred to the TRU by the ECC call taker, under the following circumstances:
 - 1. The theft occurred earlier.
 - 2. There are no suspects.

B. Stolen Vehicle

When a patrol officer is dispatched to a stolen vehicle report, the officer will: (CALEA 42.2.2)

- 1. Make personal contact with the complainant.
- 2. If the vehicle was stolen within the last hour, contact Message Routing Center (MRC) as soon as possible, via landline at **(240) 777-0788**. MRC will enter the vehicle into NCIC and pass the information to ECC to place a lookout over the radio. If the vehicle was stolen more than one hour prior, enter the stolen vehicle into NCIC via MRC from the station.
- 3. Conduct a preliminary investigation.
- 4. Confer with the shift supervisor regarding sending a teletype if appropriate.
- 5. Following the guidelines in the Field Report Manual, write the initial report including, but not limited to:
 - a. How entry into the vehicle was made, if known.
 - b. Whether any anti-theft devices were used; if so, list the category and brand name.
 - c. Record the VIN using the following format: ABCDEF12G3H4567890
- 6. Supervisors will forward the investigative copies of all event and supplement reports for the following classifications to the **CATS**: 0711, 0712, 0713, 2733, 2736, 2947 (relating to recovered vehicles) and 0619 (involving construction, farm, and heavy equipment). When a vehicle is stolen in a burglary or carjacking, a copy of the vehicle report should be sent to **CATS**. The investigative copy should be sent to the other appropriate investigative unit.

C. Recovered Vehicles

When a patrol officer is dispatched for a recovered vehicle, the officer will:
(CALEA 42.2.3)

- 1. Make personal contact with the complainant.
- 2. Process the vehicle for latent prints and other possible evidence. The MCP 618, "Vehicle Theft Investigation Checklist," may be used as a guide. In cases where a Robbery investigator responds, the investigator will be responsible for arranging the processing of the vehicle by the **CATS** evidence technician. ***If any evidence is recovered, it will be seized, taken to the station, and stored in accordance with department procedures***

(refer to FC 721, "Evidence/Recovered Property").

(CALEA 83.2.1)

3. Notify the owner (if other than the complainant). Officers may, upon contacting the owner, determine if the vehicle can be claimed within a short period of time at the location of discovery. This will only be done if the officer is able to stand by at the location and wait for the owner to arrive. **The officer will not leave the recovered vehicle unattended at the recovery location.**
4. **The top half of the MCP 60, "Impounded Vehicle Report," will be completed and turned in at the station.**
5. Cancel the vehicle from NCIC via MRC. If the vehicle was stolen in another jurisdiction, send a teletype to that jurisdiction.
6. Following the guidelines in the Field Report Manual, write a supplement report (if the initial incident occurred outside of Montgomery County, write a vehicle report with a clearance code of 2947) to include, but not limited to:
 - a. The beat and PRA of the location of the recovery will be placed on the top line of the narrative portion of the report.
 - b. The circumstances of recovery.
 - c. The condition of the vehicle when it was located.
 - d. How entry was made into the vehicle.
 - e. Who processed the vehicle and the results of processing.
 - f. Any witness information.
 - g. If the vehicle was stolen in another jurisdiction, include the originating agency's case number, and the victim's name, address, and phone number in the narrative block.
7. Supervisors will forward the investigative copies of all recovered vehicle supplements or reports to the **CATS**.

- D. An officer may call a **CATS** investigator anytime the officer believes it would be helpful to the investigation. After hours, a supervisor's approval is required.

III. Towing Procedures

- A. **If the owner is not available to collect the vehicle or it is not in condition to be driven, the officer will call for the next available rotating tow service who will tow the vehicle directly to the Abandoned Vehicle Section (AVS), if open, or the respective district station. In those cases where the police approved towing firm's lot is to be utilized, the tow service will be instructed to transfer the vehicle to AVS at the next earliest re-opening.**

B. Trespass Tows

If the stolen vehicle was reported as a result of a trespass tow (private property), and the tow firm is on the police tow list, officers will direct the police approved tow firm to tow the recovered stolen vehicle directly to AVS. If AVS is closed, the vehicle will be towed to AVS at the next earliest re-opening. Those firms that trespass tow and are not on the approved police tow list will be given the option to tow directly to AVS, if open. If AVS is closed, a police approved tow firm will be called to take the recovered vehicle into their custody until the next earliest re-opening of AVS. Under no circumstances will recovered stolen vehicles be left at the trespass tow firm lots if the firm is not on the police tow list. Nothing in this section prohibits officers from storing these and other impounded vehicles at the various district stations subject to evidence procedures and district SOPs.

C. Towing from an Isolated Location

Officers will not direct the recovery and towing of any stolen vehicle that has been left in any isolated location (e.g., the bottom of a quarry, deep within a wooded area) or any other location where the vehicle cannot be driven out under its own power. The recovery of these vehicles will be made at the direction of the AVS or the CATS. It will remain the responsibility of the investigating officer to notify the AVS and the owner of the recovery of this vehicle, write the supplement report, and cancel any stolen entry in NCIC. The responding officer will also complete the MCP 60 and place it in a location at the district station specified by the district commander.

- D. **Vehicles that have been stored at the district stations will be transferred to AVS if not claimed within 72 hours. The original tow firm will be utilized to transfer the vehicle to AVS. For additional instruction on towing, refer to FC 1060, "Towing of Motor Vehicles."**

IV. Arrest Procedures

- A. Upon making an arrest, the officer will transport the suspect to the officer's district station as necessary to interview the suspect or complete the investigation. As soon as practicable and prior to completing an MCP 50, "Advice of Rights," contact an auto theft investigator at (301) **840-6160**. If the arrest is made after hours, the officer will contact ECC for notification of the on-call investigator, **once the prisoner(s) has been transported to the station**. The investigator will advise the officer of any further investigative steps.
- B. In arrest situations, the key factor in a successful prosecution is to determine knowledge by the defendant that the vehicle was stolen. Therefore, record any blurt or res gestae statements regarding this issue. Getting statements from the defendant should be attempted in all cases.

Additionally, if known, always note who the driver was.

C. Charging Defendants

Due to the wording of the auto theft statute (Article 27, Section 342A of the Annotated Code of Maryland), officers will charge defendants arrested for auto theft with all of the following sections of Article 27:

1. Sec. 342 - Theft over \$300
2. Sec. 342A - Auto Theft
3. Sec. 349 - Unauthorized Use

IV. **Lojack Tracking System**

A. Background

The Lojack Tracking System is a stolen vehicle locator system which allows police to find stolen vehicles equipped with the Lojack transmitter. This transmitter is activated once the vehicle is reported stolen to the police and entered into the MILES System.

B. Operation

Tracking units within police cars typically have a 3-5 mile radius to lock onto a Lojack vehicle. Once the tracking unit has locked onto the Lojack vehicle, it displays a numeric code which ECC personnel use to determine the stolen vehicle information. That information is then broadcast to all units. Police cars with Lojack, knowing the description of the vehicle, then work to find its location. Lojack has been successfully used in many states and throughout Europe.

C. General Procedures

1. Once an officer in a police vehicle equipped with Lojack begins tracking a stolen vehicle, the officer will immediately notify ECC of the location, the displayed tracking code, and the apparent direction of the vehicle. ECC will ensure that the shift supervisor is notified.
2. Vehicles being tracked by officers and confirmed stolen will be treated as any other stolen vehicle. Only two units will actively track a vehicle unless a supervisor authorizes additional units. All directives and procedures governing the recovery of occupied or unoccupied stolen vehicles will apply to Lojack equipped vehicles. A Lojack vehicle may be pursued, but only under the same policy directives pertaining to other stolen vehicles. Lojack vehicles will not be pursued or tracked out of the county unless there is probable cause to believe that the occupant(s) has been involved in a felony of a violent type.
3. Any problems or repairs needed for Lojack equipment will be scheduled with the Fleet **Management Section**. Fleet vehicle checklists will be modified to include inspection of items relating to Lojack.

4. *The Fleet Management Section will maintain current data on all vehicles equipped with Lojack. Each district/unit commander, or designee, will maintain records of which vehicles assigned to their district are equipped with Lojack.*

- D. All station training coordinators must monitor whether those officers using fleet vehicles with the Lojack tracking device have received Lojack training. If not, the training coordinators should contact the Lojack representative at (703) 742-0606 to schedule training. Additionally, if any piece of lojack equipment is not functioning properly, the Lojack representative should be contacted.

V. **Proponent Unit:** FSB and ISB Administrations

VI. **Cancellation**

This directive cancels Function Code 618, effective date 03-05-99.



Charles A. Moose, Ph.D.
Chief of Police